

RESOLUTION NO. 2005-29

A RESOLUTION OF THE LODI CITY COUNCIL ACCEPTING HARNEY LANE
STREET FRONTAGE IMPROVEMENTS IN CENTURY MEADOWS TWO, UNIT 4,
TRACT NO. 3272, AND INCLUDED IN THE IMPROVEMENT AGREEMENT AND
ADDENDUM TO THE IMPROVEMENT AGREEMENT BETWEEN THE CITY OF LODI
AND FCB BUILDING PARTNERS I, L.P., AND FURTHER APPROPRIATING FUNDS
FOR APPLICABLE REIMBURSEMENTS

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The City Council of the City of Lodi finds:

1. That all requirements of the Improvement Agreement and Addendum to Improvement Agreement between the City of Lodi and FCB Building Partners I, L.P., for the Harney Lane street frontage improvements in Century Meadows Two, Unit 4, Tract No. 3272, have been substantially complied with. The improvements are shown on Drawing Nos. 002D062 through 002D074, 002D113 through 002D118, and 002D142, on file in the Public Works Department and as specifically set forth in the plans and specifications approved by the City Council on December 18, 2002 and January 7, 2004; and
2. That improvements at Century Meadows Two, Unit 4, Tract No. 3272, included street frontage improvements along Harney Lane, including curb, gutter, and street paving for the adjacent parcels to the east (Farros properties: APN 058-210-03 and 058-210-04), as well as improvements within the subdivision boundaries on the residential streets; and
3. That the Harney Lane street frontage improvements along the Farros properties were included in the subdivision project to provide for orderly development and enhance public safety on Harney Lane. The owner of the adjacent properties, Mr. Farros, agreed to dedicate the necessary right-of-way to allow installation of the improvements in exchange for the frontage improvements plus payment for the cost of installation, removal, and/or relocation of private improvements necessitated by the installation of the street improvements; and
4. That on January 7, 2004, Council approved the above referenced Addendum to the Improvement Agreement, covering reimbursement to FCB Building Partners I, L.P., for the cost of the Harney Lane street frontage improvements. Council also agreed to reimburse Mr. Farros for the cost of removal and/or relocation of several existing trees, a wood rail fence and decorative iron gate, and installation of a chain link fence along the existing orchard covering a portion of the Farros properties. Staff estimated that the cost of all this work would be approximately \$58,400 and appropriated the necessary funds. The actual reimbursements were to be based on verifiable claims for the improvements when the project was complete and all the costs were known. The actual cost of the improvements as verified by staff was \$116,393. The additional costs are attributable to roadway construction staging and poor roadway subgrade conditions (\$43,500) and unanticipated costs for restoration of the private improvements (\$14,500); and
5. That additional funds in the amount of \$57,993 be appropriated from the Impact Mitigation Fee – Local Streets Fund for reimbursement to property owner Farros to cover the balance of the reimbursable costs; and

6. The streets to be accepted are as follows:

Streets	Length in Miles
Harney Lane	0.00
Total New Miles of City Streets	0.00

Dated: February 16, 2005

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I hereby certify that Resolution No. 2005-29 was passed and adopted by the City Council of the City of Lodi in a regular meeting held February 16, 2005, by the following vote:

AYES: COUNCIL MEMBERS – Hansen, Hitchcock, Johnson, Mounce, and Mayor Beckman

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None


SUSAN J. BLACKSTON
City Clerk